

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification Prior Application:
of this Application: Exam'r: Dianne Rees Attorney's
Class _____ Subclass _____ Group Art Unit: 1807 Docket No.:
Enz-52(C)

FILED BY EXPRESS MAIL

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231
BOX FWC (if under \$1.62)



COPY

Sir:

This is a request for filing a X CONTINUATION DIVISIONAL CONTINUATION-IN-PART application under X 37 CFR §1.60 37 CFR §1.62, of pending prior application Serial No. 08/182,621 filed on January 13, 1994 of Dean L. Engelhardt et al.

Inventor(s)

**for: NOVEL PROCESS, CONSTRUCT AND CONJUGATE
FOR PRODUCING MULTIPLE NUCLEIC ACID COPIES**

Title of Invention

- X Enclosed is a copy of the prior application, as originally filed and an affidavit or declaration verifying it as a true copy.
- X A copy of the verified statement under 37 CFR §1.9 and §1.27 establishing small entity status in the prior application is enclosed. Small entity status is still applicable.
- X The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT								
				RATE			Fee	
	Number Filed	Number Extra		Small Entity	Other Entity		Small Entity	Other Entity
Total Claims	1	= 0	x	\$ 11	\$ 22	=	\$ 0	\$ ---
Independent Claims	1	= 0	x	\$ 41	\$ 82	=	\$ 0	\$ ---
Multiple Dependent Claims Presented:	Yes <u>X</u> No			\$135	\$270		\$ 0	\$ ---
If the difference in Col. 1 is less than zero, enter "0" in Col.2					BASIC FEE		\$395	\$790---
					TOTAL FEE		\$395	\$ ---

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No. <u>EM366566576</u>	
Deposit Date	<u>FEBRUARY 3, 1998</u>
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Address" service under 37 CFR 1.10 on the date indicated above and addressed to the Commissioner of Patents and Trademarks, Washington DC 20231.	
_____ Ronald C. Fulus Reg. No. 32,567	<u>FEB 3 1998</u> Date <u>1998</u>

Attorney's Docket No. Enz-52(C)

Dean L. Engelhardt et al.
Serial No.: Not Yet Assigned
Filed: Herewith

Page: 2 (Request for a Continuation Application Under 37 C.F.R. §1.60 -
February 3, 1998)

4. The Commissioner is hereby authorized to charge payment of the filing fee as well as the following fees associated with this application or to credit any overpayment to Deposit Account No. 05-1135. A **duplicate** copy of this sheet is enclosed.

Any additional filing fees required under 37 CFR §1.16.

Any patent application processing fees under 37 CFR §1.17.

5. The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 05-1135. A **duplicate** copy of this sheet is enclosed.

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6. A check in the amount of \$ _____ is enclosed.

7. Cancel claims 2-90.

8. Amend the specification by inserting before the first line of the sentence: --- This is a continuation, divisional, continuation-in-part, of application Serial No. 08/182,621, filed on January 13, 1994. ---

9. Transfer the drawings from the prior application.

10. Informal Formal drawings are enclosed.

11. Abandon said prior application as of the filing date accorded this application. A **duplicate** copy of this sheet is enclosed for filing in the prior application file.

12. Priority of application Serial No. _____ filed on _____ is claimed under 35 U.S.C. §119. The certified copy of the priority application has been filed in prior application Serial No. _____, filed _____.

13. The prior application is assigned of record to Enzo Diagnostics, Inc., c/o Enzo Biochem, Inc., 527 Madison Avenue, New York, New York 10022. [A copy of the originally submitted Assignment and the Notice of Recordation are enclosed herewith.]

14. A preliminary amendment is enclosed.

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Ronald C. Fedus, Reg. No. 32,567, and John J. Santalone,
Reg No. 32, 794.

(a) The power appears in the original papers in the prior application.

(b) Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

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Ronald C. Fedus, Esq.
Enzo Diagnostics, Inc.
c/o Enzo Biochem, Inc.
527 Madison Avenue (9th Floor)
New York, New York 10022

16. Also accompanying this Request is a Petition to Revive An Unintentionally Abandoned Application Under 37 C.F.R. §1.137(b).

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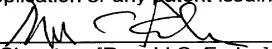
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FEBRUARY 3, 1998

Date



Signature [Ronald C. Fedus]

Registration No. 32, 567

Attorney for Applicants

Inventor(s)

Assignee of Complete Interest

Attorney or Agent of Record

Filed under 37 CFR §1.34(a)

Address of Signator:

Enzo Diagnostics, Inc.
c/o Enzo Biochem, Inc.
527 Madison Avenue (9th Floor)
New York, New York 10022

I:\word\usprosecution\enz52\enz52(c)\RequestForContinAppln.Enz52(C).012398

Attorney's Docket No. Enz-52(C)



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Feb 3 98

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Attorney for Applicants

Inventor(s)

Assignee of Complete Interest

Attorney or Agent of Record

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Address of Signator:
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c/o Enzo Biochem, Inc.
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lc\word\usprosecution\enz52\enz52(c)\RequestForContinAppn.Enz52(C).012398

Attorney's Docket No. Enz-52(C)



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Ronald C. Fedus FEB 3 1998
Ronald C. Fedus
Reg. No. 32,567 Date

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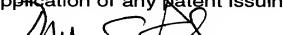
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Registration No. 32, 567

Attorney for Applicants

Inventor(s)

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New York, New York 10022

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Applicants(s): **Dean L. Engelhardt, et. al.**

Serial No. **Not Yet Known**

Group Art Unit: **Not Yet Known**

Filed **Herewith**

Examiner: **Not Yet Known**
Prev. Examiner: **Dianne Rees**
Prev. Art Unit: **1807**

For: **NOVEL PROCESS, CONSTRUCT AND CONJUGATE
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Honorable Commissioner of
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Washington, D. C. 20231

COPY

Sir:

Transmitted herewith is a Preliminary Amendment Accompanying Request for Continuation Application Under 37 C.F.R. § 1.60 in the above-identified patent application.

The fee* has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	SMALL ENTITY RATE	ADDITIONAL FEE
Total	59	Minus	1	= 38	X 11	\$ 418
Indep	5	Minus	1	= 1	X 41	\$ 41
()	First Presentation of Multiple Dependent Claims				+ 135	\$ 0
	TOTAL ADDITIONAL FEE					\$ 459

*Small entity status was previously established in this application and is still applicable.

(X) Charge Deposit Account No. 05-1135 in the amount of \$459.

() A check in the amount of \$ _____ is attached.

(X) The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 05-1135: any filing fees under 37 C.F.R. §1.16 for the presentation of extra claims and any patent application processing fees under 37 C.F.R. §1.17.

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Also enclosed: _____

Respectfully submitted,


Ronald C. Fedus
Registration No. 32,567
Attorney for Applicant(s)

ENZO DIAGNOSTICS, INC.
c/o Enzo Biochem, Inc.
527 Madison Avenue (9th Fl.)
New York, New York 10022
Tel. (212) 583-0100

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lc:Enz52(C).Transmittal-Prelim.Amend.012898

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Serial No. **Not Yet Known**

Group Art Unit: **Not Yet Known**

Filed: **Herewith**

Examiner: **Not Yet Known**
Prev. Examiner: **Dianne Rees**
Prev. Art Unit: **1807**

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New York, New York 10022
Tel. (212) 583-0100

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